

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARSHALL CARTER, JR.,)	
)	
Plaintiffs,)	8:04cv540
)	
vs.)	ORDER to SHOW CAUSE
)	
DANIELLE POWELLS, et al.,)	
)	
Defendants.)	

This matter is before the court sua sponte. It appears to the court that this case may have been abandoned. The plaintiff filed this action while incarcerated in the Douglas County Correctional Center ("DCCC"). After his release from custody, the plaintiff has not communicated with the court. The court obtained a forwarding address for the plaintiff from DCCC and sent the plaintiff a new form to complete by May 27, 2005, to apply as a nonprisoner to proceed in forma pauperis. The plaintiff has not returned the form or contacted the court. Therefore, by **June 20, 2005**, the plaintiff shall show cause why this case should not be dismissed, without prejudice, for lack of prosecution.¹ In the absence of a timely and sufficient response to this Order to Show Cause, this case may be subject, without further notice, to dismissal, without prejudice, by Chief Judge Joseph F. Bataillon.

SO ORDERED.

DATED this 3rd day of June, 2005.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge

¹See NECivR 41.1, which states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."